महाराष्ट्र शासन

क्र. भाप्रसे ११०८/प्र.क्र.४६/२००८/वेनिक
सामान्य प्रशासन विभाग
मंत्रालय, मुंबई ४०००३२.
दिनांक :- २४.८.२०१५

६व्या वेतन आयोगाच्या शिफारशींवर केंद्र शासनाने वेळोवेळी घेतलेल्या निर्णयानुसार, निवृत्तीवेतन विषयक लाभांमध्ये सुधारणा करण्याच्या दृष्टीने केंद्र शासनाच्या कार्मिक, लोकतक्रारी तथा निवृत्तीवेतन मंत्रालयाने O.M.No. ३८/३७/०८-P&PW(A), दि. ३० जुलै, २०१५ चे कार्यालयीन ज्ञापन निर्गमित केले आहे. सदर ज्ञापनातील सूचना अखिल भारतीय सेवेतील दि. १.१.२००६ पूर्वी सेवानिवृत्त झालेल्या अधिकाऱ्यांच्या जसेच्या तसे लागू राहतील असे दि. १७ ऑगस्ट, २०१५ च्या पत्रान्वये कळविले आहे. केंद्र शासनाचे सदर कार्यालयीन ज्ञापन व पत्र अखिल भारतीय सेवेतील भाप्रसे, भापोसे व भावसे मधील निवृत्तीवेतन धारक/ कुटुंब निवृत्तीवेतन धारकांसंबंधात उचित कार्यवाहीसाठी अग्रेषित.

अ.क्र.	कार्यालयीन ज्ञापन / पत्र क्रमांक	विषय
१.	No. 38/37/08-P&PW(A), Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Pension and Pensioners' Welfare dated 30.7.2015	Revision of pension of pre-2006 pensioners – reg.
२.	No. 25014/1/2013-AIS-II, Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, dated 17.8.2015	Revision of pension/ family pension of pre-2006 pensioners of All India Services

सदरील पृष्ठांकने ही महाराष्ट्र शासनाच्या संकेतस्थळावर उपलब्ध करण्यात आली असून त्याचा संगणक संकेतांक क्रमांक २०१५०८२४१०३५३६४४०७ असा आहे. हे पृष्ठांकन डिजीटल स्वाक्षरीने साक्षांकित करुन काढण्यात येत आहे.

Subhash Hanmant Umaranikar

Digitally signed by Subhash Hanmant Umaranikar
DN: c=IN, o=Government Of Maharashtra, ou=Under Secretary, postalCode=400032, st=Maharashtra, cn=Subhash Hanmant Umaranikar
Date: 2015.08.24 11:41:24 +05'30'

(सु. ह. उमराणीकर)
अवर सचिव, महाराष्ट्र शासन

प्रत,

१. राज्यपाल यांचे सचिव
२. मा. मुख्यमंत्री यांचे प्रधान सचिव
३. सर्व विधानसभा/ विधानपरिषद सदस्य
४. महालेखापाल (लेखा व अनुज्ञेयता), महाराष्ट्र-१/२, मुंबई/नागपूर

५. महालेखापाल (लेखा परीक्षा) महाराष्ट्र-१/२, मुंबई/नागपूर
६. संचालक, लेखा व कोषागारे, मुंबई
७. अधिदान व लेखा अधिकारी, वांद्रे/ मुंबई
८. मुख्य लेखा परीक्षक, स्थानिक निधी लेखा, कोकण भवन, नवी मुंबई.
९. वरिष्ठ कोषागार अधिकारी, पुणे/ नागपूर/ औरंगाबाद/ नाशिक
१०. निवासी लेखा परिक्षा अधिकारी, मुंबई
११. सर्व जिल्हा कोषागार अधिकारी
१२. सर्व मंत्रालयीन विभाग
१३. वित्त विभाग/ सेवा-४, अर्थसंकल्प-२५, व्यय-४
१४. सहायक संचालक (लेखा) (भापोसे कक्ष), गृह विभाग, मंत्रालय, मुंबई ४०००३२
१५. सहायक संचालक (लेखा) (भावसे कक्ष), महसूल व वन विभाग, मंत्रालय, मुंबई ४०००३२
१६. महासंचालक आणि पोलीस महानिरीक्षक, महाराष्ट्र राज्य, मुंबई
१७. प्रधान मुख्य वन संरक्षक, महाराष्ट्र राज्य, पुणे
१८. सचिव, कार्मिक व प्रशिक्षण, लोकशिकायत व निवृत्तीवेतन मंत्रालय, नवी दिल्ली
१९. विशेष आयुक्त, महाराष्ट्र सदन, कोपर्निकस मार्ग, नवी दिल्ली
२०. संचालक, माहिती व जनसंपर्क विभाग, मंत्रालय, मुंबई
२१. साप्रवि/ का.९, १०, १९-अ, २६
२२. निवड नस्ती.

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No.38/37/08-P&PW(A)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi
Dated the 30th July, 2015

Office Memorandum

Sub:- Revision of pension of pre-2006 pensioners — reg.

The undersigned is directed to say that as per Para 4.2 of this Department's OM of even number dated 1.9.2008 relating to revision of pension of pre-2006 pensioners w.e.f. 1.1.2006, the revised pension w.e.f. 1.1.2006, in no case, shall be lower than 50% of the sum of the minimum of pay in the pay band and the grade pay thereon corresponding to the pre-revised pay scale from which the pensioner had retired. A clarification was issued vide DoP&PW OM of even number dated 3.10.2008 that the pension calculated at 50% of the minimum of pay in the pay band plus grade pay would be calculated at the minimum of the pay in the pay band (irrespective of the pre-revised scale of pay) plus the grade pay corresponding to the pre-revised pay scale.

2. Several petitions were filed in Central Administrative Tribunal, Principal Bench, New Delhi inter alia claiming that the revised pension of the pre-2006 pensioners should not be less than 50% of the minimum of the pay band + grade pay, corresponding to the pre-revised pay scale from which pensioner had retired, as arrived at with reference to the fitment tables annexed to Ministry of Finance, Department of Expenditure OM No.1/1/2008-IC dated 30th August, 2008. Hon'ble CAT, Principal Bench, New Delhi vide its common order dated 1.11.2011in OA No.655/2010 and three other connected OAs directed to re-fix the pension of all pre-2006 retirees w.e.f. 1.1.2006 based on the Resolution dated 29.8.2008 of the Department of Pension & Pensioners' Welfare and in the light of the observations of Hon'ble CAT in that order.

3. The above order was challenged by the Government by filing Writ Petition No.1535/2012 in respect of OA No. 655/2010 and WP No.2348-50/12 in respect of the three other connected OAs in the High Court of Delhi. The Hon'ble High Court in its common Order dated 29.4.2013 noted that the DoP&PW had, in the meanwhile, issued an OM No.38/37/08-P&PW (A) dated 28.1.2013 which provided for stepping up of pension of pre-2006 pensioners w.e.f. 24.9.2012 to 50% of the minimum of pay in the pay band and grade pay corresponding to pre-revised pay scale from which the pensioner had retired. Hon'ble High Court observed that the only issue which survived was, with reference to Paragraph 9 of OM dated 28.1.2013 which makes it applicable w.e.f. 24.9.2012 instead of 1.1.2006. Hon'ble High Court of Delhi dismissed the Writ Petition No.1535/2012 along with three other Writ Petitions vide its order dated 29.4.2013. Special Leave Petitions (No.23055/2013 and No.36148-50/2013) filed against the said order dated 29/4/2013 of the Hon'ble Delhi High Court have also been dismissed by the Hon'ble Supreme Court.

....2/-

4. Accordingly, in compliance with the above judicial pronouncements, it has been decided that the pension/family pension of all pre-2006 pensioners/family pensioners may be revised in accordance with this Department's OM No.38/37/08-P&PW(A) dated 28.1.2013 with effect from 1.1.2006 instead of 24.9.2012. Further, this benefit has already been granted to the Applicants in OA No. 655/2010 vide OM of even No. dated 26/08/2014 read with OM dated 19/09/2014 following dismissal of SLP (C) No.23055/2013 by the Hon'ble Supreme Court.

5 In case the consolidated pension/family pension calculated as per para 4.1 of O.M. No.38/37/08-P&PW (A) dated 1.9.2008 is higher than the pension/family pension calculated in the manner indicated in the O.M. dated 28.1.2013, the same (higher consolidated pension/family pension) will continue to be treated as basic pension/family pension.

6. All other conditions as given in OM No. 38/37/08-P&PW (A) dated 1.9.2008, as amended from time to time shall remain unchanged.

7. Ministry of Agriculture, etc. are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and subordinate Offices under them on a top priority basis. All pension disbursing offices are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

8. This issues with the approval of Ministry of Finance ID Note No. 1(9)/EV/2011-Vol.II dated 24.7.2015.

9. Hindi version will follow.

(Harjit Singh)
Deputy Secretary to the Government of India

To

1. All Ministries/Departments (as per standard mailing list)
2. All SCOVA Members
3. All identified Pensioners Associations

Copy to NIC for uploading on the website of the Department.

No. 25014/1/2013-AIS-II
Government of India
Ministry of Personnel, Public Grievances and Pension
(Department of Personnel & Training)

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North Block, New Delhi
Dated: 17/08/2015

To

All the Chief Secretaries of State Governments/UTs.

Subject: Revision of pension/family pension of pre-2006 pensioners of All India Services.

Sir,

I am directed to refer to the above mention subject and to say that in compliance to the judicial pronouncement, the Department of Pension & Pensioners vide its O.M. No. 38/37/08-P&PW(A) dated 30/07/2015 has decided that the pension/family pension of all pre-2006 pensioners/family pensioners may be revised in accordance with their Department's O.M. NO. 38/37/08/-P&PW(A) dated 28/1/2013 w.e.f. 01.01.2006 instead of 24.9.2012. The applicability of the provisions of the aforesaid O.M. dated 30/07/2015 to All India Services pensioners of pre-2006 has been considered by this Department and it is decided that provisions of the aforesaid O.M. of Department of Pension & Pensioners Welfare shall be applicable ***mutatis-mutandis*** to All India Service pensioners of pre-2006.

Yours faithfully,
(Rajiv Jain)
Under Secretary to the Government of India

Copy to:

1. Central Government Ministries/Departments
2. Accountant General in the States and UTs.
3. Department of Expenditure, Ministry of Finance, North Block, New Delhi
4. PAO of all Ministries/Departments
5. C&AG, Bahadur Shah Zafar Marg, New Delhi
6. Ministry of Railways, Railway Board, New Delhi
7. CGA, Department of Expenditure, 7th Floor, Lok Nayak Bhavan, Khan Market, New Delhi

O/C

8. Director (Pension), Department of Pension & Pensioners Welfare, Lok Nayak Bhavan, Khan Market, New Delhi
9. NIC for posting on the website of this Department on persmin.nic.in→dopt→OM&Order→Services→Others

(Rajiv Jain)
Under Secretary to the Government of India